

HOUSE BILL NO. 41

INTRODUCED BY M. NOENNIG

BY REQUEST OF THE LEGISLATIVE COUNCIL

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE LEGISLATIVE COUNCIL'S FUNCTIONS AND APPOINTMENT AUTHORITY REGARDING INTERSTATE, INTERNATIONAL, AND INTERGOVERNMENTAL ENTITIES; AMENDING SECTION 5-11-707, MCA; REPEALING SECTION 5-11-301, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

WHEREAS, current law is confusing regarding the Legislative Council's role relating to legislative appointments to interstate, international, and intergovernmental entities that are not otherwise provided for under law; and

WHEREAS, this legislation clarifies that the Legislative Council is the appointing entity for legislative membership for voting purposes in organizations that include but are not limited to the Council of State Governments, the National Conference of State Legislatures, and the Legislative Council on River Governance.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. **Section 1. Definitions.** For the purposes of [sections 1 through 3], the following definitions apply:

(1) "Intergovernmental entity" means an organization, committee, delegation, or association of local, state, tribal, regional, or international governmental bodies.

(2) "International entity" means an organization, committee, delegation, or association that fosters and encourages cooperation, information exchange, or relations among nations.

(3) "Interstate entity" means an organization, committee, delegation, or association that fosters and encourages cooperation, information exchange, or relations among states.

(4) "Member" or "membership" means the authority to represent the Montana legislature for voting purposes in an interstate, international, or intergovernmental entity.

NEW SECTION. **Section 2. Legislative council's role in interstate, international, and**

1 **intergovernmental cooperation.** The legislative council shall:

2 (1) encourage the state of Montana to develop and maintain mutually constructive contact and relations
3 with interstate, international, and intergovernmental entities;

4 (2) promote mutually beneficial exchanges of information between the state of Montana and interstate,
5 international, and intergovernmental entities;

6 (3) endeavor to advance cooperation between the state of Montana and interstate, international, and
7 intergovernmental entities; and

8 (4) facilitate participation of the state of Montana as a member of appropriate interstate, international,
9 and intergovernmental entities.

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11 **NEW SECTION. Section 3. Legislative council appointments to interstate, international, and**
12 **intergovernmental entities.** (1) Unless otherwise provided by law, the legislative council shall appoint
13 legislators to serve as members of appropriate interstate, international, and intergovernmental entities.

14 (2) The president of the senate, the speaker of the house, the minority leader of the senate, and the
15 minority leader of the house may recommend nominees for the legislative council's consideration in making
16 appointments to interstate, international, and intergovernmental entities.

17 (3) If the legislative council appoints more than one legislator to participate as a member in an interstate,
18 international, or intergovernmental entity, no more than 50% of the number of legislators appointed may be from
19 one political party.

20 (4) If funds are available that the legislative council has the authority to expend, the legislative council,
21 as the appropriate funding authority, may authorize that a legislator appointed as a member to an interstate,
22 international, or intergovernmental entity be compensated, as provided in 5-2-302, for salary and expenses
23 associated with participating in an entity-sponsored activity.

24 (5) If a vacancy occurs in membership to an interstate, international, or intergovernmental entity,
25 appointment to fill the vacancy must be made in the same manner as the original appointment.

26 (6) The legislative council shall make appointments to any policy committee established by the Pacific
27 Northwest economic region as provided in 5-11-707(2).

28
29 **Section 4.** Section 5-11-707, MCA, is amended to read:

30 **"5-11-707. Appointment to Pacific Northwest economic region -- vacancy.** (1) Pursuant to 5-11-706,

Article III, the governor or a designee and four legislators must be appointed to the delegate council of the Pacific Northwest economic region. The legislative members are appointed as follows:

- (a) one member to be appointed by the president of the senate;
- (b) one member to be appointed by the speaker of the house of representatives;
- (c) one member to be appointed by the minority leader of the senate; and
- (d) one member to be appointed by the minority leader of the house of representatives.

(2) If the Pacific Northwest economic region establishes policy committees under 5-11-706, Article V, appointments of legislators to the policy committees are to be made by the legislative council as provided in ~~5-11-301~~ [section 3].

(3) In the event that a vacancy occurs, appointment to fill the vacancy must be made in the same manner as the original appointment."

NEW SECTION. **Section 5. Repealer.** Section 5-11-301, MCA, is repealed.

NEW SECTION. **Section 6. Codification instruction.** [Sections 1 through 3] are intended to be codified as an integral part of Title 5, chapter 11, and the provisions of Title 5, chapter 11, apply to [sections 1 through 3].

NEW SECTION. **Section 7. Effective date.** [This act] is effective on passage and approval.

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